

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 20, 22-25, and 27-32 are pending in this application; Claims 1-19, 21, and 26 having previously been cancelled without prejudice or disclaimer; Claim 32 having been added; and Claims 23 and 27 having been amended. Support for amended Claims 23 and 27 can be found, for example, in the original claims, drawings, and in the specification as originally filed.¹ No new matter is added.

In the December 31, 2007 Office Action, Claims 20, 22-25 and 27-31 were rejected under 35 U.S.C. § 102(e) as unpatentable over Van Valer (U.S. Patent No. 6,714,209) in view of McFarland et al. (U.S. Patent No. 6,903,760; hereinafter “McFarland”).

In response to the rejection under 35 U.S.C. § 102(e), Applicants respectfully submit that amended independent Claim 23 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 23 is directed to a system for performing processes used for generating printing data including, *inter alia*;

... a network capable client configured to locally control/perform said processes used for generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being presented to a user at a first resolution; and

a network capable server configured to offer functionality directly usable and installable on said network capable client, wherein said functionality is adapted to locally control/perform said processes used for generating printing data on the basis of which said disk label is creatable, wherein said network capable client and said network capable server are connected with each other via a communication network, wherein said printing data are generated based on graphic data representing said disk label, wherein, in advance of finalizing

¹ See page 4, lines 4-18 and page 8, lines 23-32 of the specification.

said graphic data for said disk label, a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein from said disk type areas are derivable which are prohibited from being labeled for said disk category, and wherein, during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked, the server being configured to process the printing data of the first resolution and to rescale it into printing data of a second, higher resolution.

Van Valer does not teach or suggest that “in advance of finalizing said graphic data for said disk label, a disk label printing area is determined *in dependence on selection by a user of a disk category and a disk type*, wherein *said disk category defines overall dimensions for disks of each disk category*, and wherein *from said disk type areas are derivable which are prohibited from being labeled for said disk category*,” as recited in Applicants’ amended independent Claim 23.

Van Valer describes that a user-definition-to-XML module coordinates with an index sizing module to ensure that a user is not attempting to overload the capacity of the printable surface area on a CD. However, Van Valer does not describe that a user selects a disk category and disk type, and based on their selection, a writeable area for a disk label is defined, and certain disk areas are prevented from being written to.

Van Valer further describes that calculation of the surface area required for each image and/or text label can be determined by computing the dimension of a bounding box that bounds each image and/or text label. In Van Valer, a bounding box for a text label is calculated based on the pre-existing and known dimensions of an image.² However, Van Valer does not describe that the printing area is determined in dependence on *a disc category and a disc type selected by a user*, in Van Valer a standard CD printing area is used.

² See Van Valer at column 2, line 66 to column 3, line 28.

Columns 4 and 5 of Van Valer merely describe different disk types such as CD, CD-R, CD-ROM, CD-RW, etc. and do not describe that a disk label printing area is determined depending on the particular disk type selected by a user.

McFarland also fails to teach or suggest the above features of independent Claim 23. Column 6, lines 51-61 of McFarland describes that in “the event that the default storage media is not being used, block 605 can be executed in which an input of a new storage media size is received.” However, McFarland does not describe that a disk label printing area is determined based a disk category and disk type selected by a user, and that the selected disk category defines the overall dimension for the disk and the selected type defines the areas in which a label cannot be printed to.

Further, the cited references fail to teach or suggest “generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being *presented to a user at a first resolution...* the server being configured to process the printing data of the *first resolution and to rescale it into printing data of a second, higher resolution,*” as recited in Claim 23. McFarland describes adjusting the size of printing data, but fails to describe the rescaling of a printing data resolution.

Accordingly, Applicants respectfully submit that independent Claim 23 and all claims depending therefrom are patentable.

Independent Claim 27 is directed to a method which recites the steps of:

locally controlling/performing said processes used for generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being presented to a user at a first resolution...determining, at said network capable client and in advance of finalizing said graphic data for said disk label, a disk label printing area in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein from said disk type areas are derivable which are prohibited from being labeled for said disk category... the server being configured to process the

printing data of the first resolution and to rescale it into printing
data of a second, higher resolution.

Thus, amended independent Claim 27 and all claims depending therefrom are
believed to be patentable for at least the reasons discussed above with respect to independent
Claim 23.

Accordingly, Applicants respectfully request the rejection of Claims 20-25 and 27-31
under 35 U.S.C. § 102(e), be withdrawn.

In order to vary the scope of protection recited in the claims, new Claim 32 is added.
New Claim 32 finds non-limiting support in the disclosure as originally filed, for example at
page 4, lines 4-18 and page 8, lines 23-32 of the specification..

Therefore, the changes to the claims are not believed to raise a question of new
matter.³

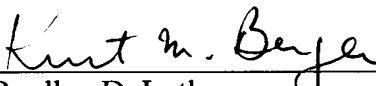
Consequently, in view of the above comments, it is respectfully submitted that the
outstanding ground for rejection has been overcome and that Claims 20, 22-25, and 27-32
patentably define over the prior art. Claims 20, 22-25, and 27-32 are therefore believed to be
in condition for allowance, and an early and favorable action to that effect is respectfully
requested.

Respectfully submitted,

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³ See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of
the application as filed may be added to any other part of the application without introducing new matter."